

Juilliard

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July 1, 2024

~~Magistrate Judge Robyn F. Tarnofsky~~ Judge Margaret M. Garnett
United States District Court
500 Pearl Street, Room 703
New York, New York 10007

Re: Stephanie Moro v. The Juilliard School, 1:24-cv-03705-MMG
Letter-Motion to Compel Proper Service

Your Honor:

I represent the Defendant in this matter, The Juilliard School (“Juilliard”), and I am writing to the Court regarding a time-sensitive matter.

According to Pacer, Plaintiff filed her action against Juilliard on May 14, 2024. Today, we saw on Pacer that Plaintiff filed an affidavit of service of the complaint, alleging that service occurred on June 14, 2024. However, we never received the complaint. Juilliard is closed on Fridays for the summer and there is only one security guard on duty at the entrance of W. 65th Street. We looked at the video from the camera at the entrance of the building and saw that the process server walked in the building with papers, and when the guard motioned that he would not accept service, the process server walked out of the building with the papers. Therefore, the complaint was never served on the Defendant.

The affidavit of service filed with the Court states that service was made on a male named “Henry” at 60 Lincoln Center Plaza, which was not accurate according to the video and the security officer, whose name is Kevin Lewis. I contacted Plaintiff’s counsel to give him an opportunity to make proper service, but only received a threatening email in caps stating that he is too busy to look into this today. Had service been proper, we would have had to respond by this Friday, July 5, 2024.

Given that the service was defective, we ask the Court to direct Plaintiff to properly serve Defendant by a date certain.

We thank Your Honor for consideration of this request.

Respectfully submitted,

Stephanie Vullo
Stephanie Vullo
General Counsel

cc: All parties of record via ECF

Juilliard

The time for Defendant to answer or respond to the Complaint is STAYED *sine die*. By **July 9, 2024**, Plaintiff must either (1) file a letter responding to Defendant's letter-motion at Dkt. No. 7 or (2) send Defendant's counsel a Rule 4 Notice of Lawsuit and Request to Waive Service of Summons, pursuant to the Federal Rules of Civil Procedure. If Plaintiff chooses the second option, Plaintiff shall file a letter on the docket informing the Court as such.

The Clerk of Court is directed to terminate Dkt. No. 7.

SO ORDERED. Date 7/3/2024



HON. MARGARET M. GARNETT
U.S. DISTRICT JUDGE